# IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 380 OF 2006

IN

STAMP NUMBER MAIN NO. 1708 OF 2006

GOA INDUSTRIAL DEVELOPMENT CORPORATION THROUGH ITS DEPUTY CHIEF EXECUTIVE OFFICER, PANAJI GOA. ....Applicant

Versus

M/S V.M. SALGAONKAR AND BROS.LTD.,VASCO DA GAMA,GOA. ....Respondents

Mr. N.K.Sawaikar,Advocate for the Applicant.
Mr.Oswaldo De Ataide,Advocate for the Respondent No. 1.

Coram:- DR. S. RADHAKRISHNAN & N. A. BRITTO, JJ.

Date:- 11th September, 2006

P.C.:-

Heard the learned Counsel for the applicant and the learned Counsel for the respondent no.1.

Perused the Miscellaneous Civil Application as well as the affidavit in reply filed on behalf of the respondent no.1. For the reasons set out in paras 4 to 9 of the application sufficient cause is made out. There is no case of negligence, inaction or want of bona fides on the part of the applicant. Hence, Miscellaneous Civil Application is made absolute in terms of prayer clause (a) which reads thus:

> "(a)Condone the delay of 46 days in filing the present appeal and the appeal be heard on merits".

DR. S. RADHAKRISHNAN, J.

N. A. BRITTO, J.

RD.